

COPY

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D.C.

IN THE UNITED STATES DISTRICT COURT

05 NOV 30 AM 11:39

FOR

THE WESTERN DISTRICT OF TENNESSEE

WESTERN DIVISION

05 NOV 22 PM 12:25

THOMAS W. GOULD
CLERK, U.S. DISTRICT COURT
W.D. OF TN, MEMPHIS
MICHAEL COLENS ET AL.

VERSUS

SHELBY COUNTY

MOTION GRANTED

Jon Phipps McCalla
JON PHIPPS McCALLA
U.S. DISTRICT JUDGE
Nov 30, 2005
DATE

PLAINTIFFS

NO. 04-2803-M-P

DEFENDANT

MOTION FOR EXTENSION OF TIME

COME NOW the Plaintiffs, by and through counsel, and submit their Motion for Extension of Time. For cause the Plaintiff shows the court as follows:

1. The Plaintiffs' counsel has been out of the office a great deal having been involved in various depositions, and hearings, and anticipates continued depositions, hearings and trials during the next month.
2. The Plaintiffs' counsel has been unable to review all of the authorities and complete all of the necessary research for a proper and complete presentation of this case to the Court.
3. The Plaintiffs request an extension of time until December 19, 2005 to serve their response to the Defendant's Motion for Summary Judgment.
4. This motion is not being submitted for purposes of delay or harassment but to further the ends of justice.
5. The Defendant will not be prejudiced by the Court granting this requested extension of time.

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6. Counsel for the Plaintiffs has contacted and consulted with counsel for the Defendant and has been advised that there is no objection to this requested extension of time.

7. Because this motion is self-explanatory, the Plaintiffs request to be relieved from the obligation of filing a supporting memorandum pursuant to LR 7.2(a)(1)

WHEREFORE, PREMISES CONSIDERED, the Plaintiffs request that this Court sustain this Motion for Extension of Time, and allow them until December 19, 2005, to serve their response to the Defendant's Motion for Summary Judgment.

Respectfully submitted, this the 21st day of November, 2005.

A handwritten signature in black ink, appearing to read "V. Fleitas", is written over a horizontal line.

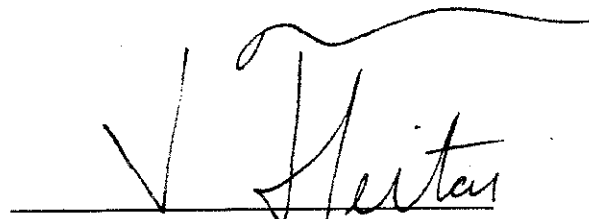
VICTOR I. FLEITAS
MS BAR NO. 10259

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Attorney for Plaintiffs

CERTIFICATE OF CONSULTATION

I, Victor I. Fleitas, attorney for the Plaintiffs, do hereby certify that I have consulted with G. Hite McLean, Jr., Esq., attorney for the Defendant, who stated he had no objection to the relief requested in this motion.



VICTOR I. FLEITAS

CERTIFICATE OF SERVICE

I, Victor I. Fleitas, attorney for the Plaintiffs, do hereby certify that I have this day mailed, postage prepaid, a true and correct copy of the above and foregoing to the following:

G. Hite McLean, Jr., Esq.
Attorney at Law
2670 Union Avenue Extended, Suite 1228
Memphis, TN 38112

This the 21st day of November, 2005.



VICTOR I. FLEITAS



Notice of Distribution

This notice confirms a copy of the document docketed as number 16 in case 2:04-CV-02803 was distributed by fax, mail, or direct printing on November 30, 2005 to the parties listed.

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Honorable Jon McCalla
US DISTRICT COURT